

Montana Water Court
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IN THE WATER COURT OF THE STATE OF MONTANA
LOWER MISSOURI DIVISION
MUSSELSHELL RIVER ABOVE ROUNDUP BASIN (40A)
PRELIMINARY DECREE

* * * * *

CLAIMANTS: George L. Cremer; Leo J. Cremer Jr.

OBJECTOR: Cremer Rodeo Land & Livestock Co.

CASE 40A-0178-R-2022

40A 179840-00	40A 179847-00
40A 179841-00	40A 179848-00
40A 179842-00	40A 179858-00
40A 179843-00	40A 179873-00
40A 179844-00	40A 179875-00
40A 179845-00	40A 179876-00
40A 179846-00	40A 179878-00

NOTICE OF FILING OF MASTER'S REPORT

This Master's Report was filed with the Montana Water Court on the above stamped date. Please review this report carefully.

You may file a written objection to this Master's Report within **10 days** of the stamped date if you disagree or find errors with the Master's findings of fact, conclusions of law, or recommendations. Rule 23, W.R.Adj.R. If the Master's Report was mailed to you, the Montana Rules of Civil Procedure allow an additional 3 days be added to the 10-day objection period. Rule 6(d), M.R.Civ.P. If you file an objection, you must serve a copy of the objection to all parties on the service list found at the end of the Master's Report. The original objection and a certificate of mailing to all parties on the service list must be filed with the Water Court.

If you do not file a timely objection, the Water Court will conclude that you agree with the content of this Master's Report.

MASTER'S REPORT

The above-captioned claims appeared in the Preliminary Decree for the Musselshell River above Roundup (Basin 40A) issued on June 7, 2017. The claims are co-owned by George Cremer and Leo Cremer Jr. Cremer Rodeo Land & Livestock Co. objected to each claim.

FINDINGS OF FACT

1. On March 23, 2023, Objector withdrew its objections to claims 40A 179840-00, 40A 179841-00, 40A 179842-00, 40A 179843-00, 40A 179844-00, 40A 179845-00, 40A 179858-00, 40A 179875-00, and 40A 179876-00. (Doc.¹ 8.00).

Priority Date Objections

40A 179846-00

2. Claim 40A 179846-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking directly from a spring in the NWNWSE of Section 32, T5N, R16E, Sweet Grass County.

3. The claim was decreed with a priority date of January 25, 1964. The Statement of Claim listed 1963 as the priority date, based on the Notice of Completion of Groundwater Appropriation attached to the Statement of Claim. The type of right was set as “filed”.

4. The priority date was modified during DNRC verification to the date the Notice of Completion was filed – January 25, 1964.

5. Cremer Rodeo Land & Livestock Co. objected to the priority date, stating:

Nelson Story arrived in Livingston, Montana including area of this ranch in December 1866 with over 600 head of cattle from Texas (The Crazy Mountain Museum and the Big Sky Words website). The first ranchers on the Musselshell were William Gordon and Perry, Sanford, and John Moore. William Gordon brought a small group of cattle to the Upper Musselshell in 1870 to winter there and by 1885 had over 1,200 head of cattle (Milton Ranch History). John Murphy started the 79 Ranch in 1879 and had over 10,000 head of cattle in the Musselshell drainage by 1883 Milton Ranch History. The priority date of this claim should be changed from 01/25/1964 to 12/31/1866. Livestock have been watering at the location of this claim to the present time. The source name also requires correction, the spring does not flow into a named source.

6. On March 23, 2023, Objector filed an affidavit from Matt Cremer. (Doc. 9.00).

¹ “Doc.” numerical references correlate to case file docket numbers in the Water Court’s Full Court case management system.

7. The affidavit includes a screenshot of the land patent for the SE of Section 32, T5N, R16E, Sweet Grass County granted to Mary Louisa Hingston on April 13, 1915.

8. Mr. Cremer states that:

My family has continuously grazed livestock on the land located at the place of use and point of diversion for this claim since 1915. Based on the land patent for the point of diversion and place of use for this claim and the continuous historical use by my family, the priority date should be modified from 1/25/1964 to 4/13/1915.

40A 179847-00

9. Claim 40A 179847-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking directly from a spring in the NWNESW of Section 32, T5N, R16E, Sweet Grass County.

10. The claim was decreed with a priority date of January 25, 1964. The Statement of Claim listed 1963 as the priority date, based on the Notice of Completion of Groundwater Appropriation attached to the Statement of Claim. The type of right was set as “filed”.

11. The priority date was modified during DNRC verification to the date the Notice of Completion was filed – January 25, 1964.

12. Cremer Rodeo Land & Livestock Co. objected to the priority date, stating:

Nelson Story arrived in Livingston, Montana including area of this ranch in December 1866 with over 600 head of cattle from Texas (The Crazy Mountain Museum and the Big Sky Words website). The first ranchers on the Musselshell were William Gordon and Perry, Sanford, and John Moore. William Gordon brought a small group of cattle to the Upper Musselshell in 1870 to winter there and by 1885 had over 1,200 head of cattle (Milton Ranch History). John Murphy started the 79 Ranch in 1879 and had over 10,000 head of cattle in the Musselshell drainage by 1883 (Milton Ranch History). The priority date of this claim should be changed from 01/25/1964 to 12/31/1866. Livestock have been watering at the location of this claim to the present time. The source name also requires correction, the spring does not flow into a named source.

13. Mr. Cremer’s affidavit provides the same support for the priority date change to 40A 179847-00 that he provided for the priority change to 40A 179846-00 - a screenshot of the land patent for the SE of Section 32, T5N, R16E, Sweet Grass County granted to Mary Louisa Hingston on April 13, 1915.

14. Mr. Cremer states that:

My family has continuously grazed livestock on the land located at the place of use and point of diversion for this claim since 1915. Based on the land patent for the point of diversion and place of use for this claim and the continuous historical use by my family, the priority date should be modified from 1/25/1964 to 4/13/1915.

15. However, the land patent does not cover the point of diversion and place of use for claim 40A 179847-00. The affidavit does not explain why a land patent in the SE of Section 32 supports use in the SW of Section 32, other than the patent is “in the area of

the point of diversion and place of use.” The beginning of the affidavit also has a general statement that:

Stock had been grazed on this land prior to our family. Part of this land was part of the historic 79 Ranch Company and was grazed as early as 1879. Livestock were grazed throughout these sections historically and were not fenced from the springs, streams or tanks. Livestock have been grazed in these sections continuously prior to and throughout our ownership.

16. The affidavit does not provide legal land descriptions of the historic 79 Ranch Company and does not specifically tie land previously owned by 79 Ranch Company to any of the claims in this matter.

40A 179848-00

17. Claim 40A 179848-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking directly from a spring in the NESWSW of Section 32, T5N, R16E, Sweet Grass County.

18. The claim was decreed with a priority date of January 25, 1964. The Statement of Claim listed 1963 as the priority date, based on the Notice of Completion of Groundwater Appropriation attached to the Statement of Claim. The type of right was set as “filed”.

19. The priority date was modified during DNRC verification to the date the Notice of Completion was filed – January 25, 1964.

20. Cremer Rodeo Land & Livestock Co. objected to the priority date, stating:

Nelson Story arrived in Livingston, Montana including area of this ranch in December 1866 with over 600 head of cattle from Texas (The Crazy Mountain Museum and the Big Sky Words website). The first ranchers on the Musselshell were William Gordon and Perry, Sanford, and John Moore. William Gordon brought a small group of cattle to the Upper Musselshell in 1870 to winter there and by 1885 had over 1,200 head of cattle (Milton Ranch History). John Murphy started the 79 Ranch in 1879 and had over 10,000 head of cattle in the Musselshell drainage by 1883 Milton Ranch History. The priority date of this claim should be changed from 01/25/1964 to 12/31/1866. Livestock have been watering at the location of this claim to the present time. The source name also requires correction, the spring does not flow into a named source.

21. Mr. Cremer’s affidavit provides the same support for the priority date change to 40A 179848-00 that he provided for the priority change to claims 40A 179846 and 40A 179847-00 - a screenshot of the land patent for the SE of Section 32, T5N, R16E, Sweet Grass County granted to Mary Louisa Hingston on April 13, 1915.

22. Mr. Cremer states that:

My family has continuously grazed livestock on the land located at the place of use and point of diversion for this claim since 1915. Based on the land patent for the point of diversion and place of use for this claim and the continuous historical use by my family, the priority date should be modified from 1/25/1964 to 4/13/1915.

23. However, the land patent does not cover the point of diversion and place of use for claim 40A 179848-00. The affidavit does not explain why a land patent in the SE

of Section 32 supports use in the SW of Section 32, other than the patent is “in the area of the point of diversion and place of use” and the general statement regarding 79 Ranch Company described in Finding of Fact Nos. 15 and 16.

40A 179873-00

24. Claim 40A 179873-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking directly from a spring in the NESWSW of Section 10, T4N, R16E, Sweet Grass County.

25. The claim was decreed with a priority date of January 25, 1964. The Statement of Claim listed 1963 as the priority date, based on the Notice of Completion of Groundwater Appropriation attached to the Statement of Claim. The type of right was set as “filed”.

26. The priority date was modified during DNRC verification to the date the Notice of Completion was filed – January 25, 1964.

27. Cremer Rodeo Land & Livestock Co. objected to the priority date, stating:

Nelson Story arrived in Livingston, Montana including area of this ranch in December 1866 with over 600 head of cattle from Texas (The Crazy Mountain Museum and the Big Sky Words website). The first ranchers on the Musselshell were William Gordon and Perry, Sanford, and John Moore. William Gordon brought a small group of cattle to the Upper Musselshell in 1870 to winter there and by 1885 had over 1,200 head of cattle (Milton Ranch History). John Murphy started the 79 Ranch in 1879 and had over 10,000 head of cattle in the Musselshell drainage by 1883 Milton Ranch History. The priority date of this claim should be changed from 01/25/1964 to 12/31/1866. Livestock have been watering at the location of this claim to the present time. The source name also requires correction, the spring does not flow into a named source.

28. The affidavit includes a screenshot of the land patent for the S2SW of Section 10, T4N, R16E, Sweet Grass County granted to George Kuss on May 6, 1916.

29. Mr. Cremer states that:

My family has continuously grazed livestock on the land located at the place of use and point of diversion for this claim since 1915. Based on the land patent for the point of diversion and place of use for this claim and the continuous historical use by my family, the priority date should be modified from 1/25/1964 to 5/6/1916,

40A 179878-00

30. Claim 40A 179878-00 appeared in the Basin 40A Preliminary Decree as a claim for stock drinking directly from a spring in the SWSWNW of Section 2, T4N, R16E, Sweet Grass County.

31. The claim was decreed with a priority date of January 25, 1964. The Statement of Claim listed 1963 as the priority date, based on the Notice of Completion of

Groundwater Appropriation attached to the Statement of Claim. The type of right was set as “filed”.

32. The priority date was modified during DNRC verification to the date the Notice of Completion was filed – January 25, 1964.

33. Cremer Rodeo Land & Livestock Co. objected to the priority date, stating:

Nelson Story arrived in Livingston, Montana including area of this ranch in December 1866 with over 600 head of cattle from Texas (The Crazy Mountain Museum and the Big Sky Words website). The first ranchers on the Musselshell were William Gordon and Perry, Sanford, and John Moore. William Gordon brought a small group of cattle to the Upper Musselshell in 1870 to winter there and by 1885 had over 1,200 head of cattle (Milton Ranch History). John Murphy started the 79 Ranch in 1879 and had over 10,000 head of cattle in the Musselshell drainage by 1883 Milton Ranch History. The priority date of this claim should be changed from 01/25/1964 to 12/31/1866. Livestock have been watering at the location of this claim to the present time. The source name also requires correction, the spring does not flow into a named source.

34. The affidavit includes a screenshot of the land patent for the S2NW of Section 2, T4N, R16E, Sweet Grass County granted to Carl Bethke on February 12, 1916.

35. Mr. Cremer states that:

My family has continuously grazed livestock on the land located at the place of use and point of diversion for this claim since 1915. Based on the land patent for the point of diversion and place of use for this claim and the continuous historical use by my family, the priority date should be modified from 1/25/1964 to 2/12/1916.

Source Name Objections

36. Objector also objected to the source name of claims 40A 179846-00, 40A 179847-00, 40A 179848-00, 40A 179873-00, and 40A 179878-00:

The source name also requires correction, this spring does not flow into a named source.

37. Springs, even those that do not flow into a named source, are named using the first downstream or down gradient named source. According to the DNRC Claims Examination Manual:

c. Unnamed Springs: A claimed spring without a name or with a claimed name that does not meet the acceptable standardization criteria is considered an unnamed spring. To establish a standard source name, identify the first downstream (or down gradient, if not connected) named source, even if far away from the spring. This puts the spring in a sub-basin, enhancing the usefulness of the database. [Rule 11\(c\)\(3\), W.R.C.E.R.](#)

All unnamed springs will be standardized on the worksheet to "Spring, Unnamed Tributary of _____" (using the first down gradient named source). Attach the spring to an

unnamed tributary even if not apparently connected such as an ephemeral stream. [Rule 11\(c\)\(3\), W.R.C.E.R.](#)

See Claims Examination Manual, VI, D.6.c.

PRINCIPLES OF LAW

1. A properly filed Statement of Claim for an existing water right is prima facie proof of its content. Section 85-2-227, MCA; Rule 10, W.R.Adj.R.
2. Prima facie proof may be contradicted and overcome by a preponderance of the evidence. Rule 19, W.R.Adj.R.
3. A preponderance of the evidence is evidence that shows a fact is “more probable than not.” *Hohenlohe v. State*, 2010 MT 203, ¶ 33, 357 Mont. 438, 240 P.3d 628.
4. If prima facie status is overcome, the burden shifts back to the claimant to demonstrate historical use. *79 Ranch v. Pitsch*, 204 Mont. 426, 432-33, 666 P.2d 215, 218 (1983).
5. The party seeking to overcome the prima facie status of a Statement of Claim bears the burden of proof. *Nelson v. Brooks*, 2014 MT 120, ¶¶ 34, 37, 375 Mont. 86, 329 P.3d 558.

CONCLUSIONS OF LAW

1. The objections to claims 40A 179840-00, 40A 179841-00, 40A 179842-00, 40A 179843-00, 40A 179844-00, 40A 179845-00, 40A 179858-00, 40A 179875-00, and 40A 179876-00 should be dismissed.

Priority Date Objections

40A 179846-00

2. Objector provided thin but sufficient evidence to meet their burden of overcoming the initial claim filing by a preponderance of the evidence. The priority date should be modified to April 13, 1915. Because the claim is no longer based on the groundwater filing, the type of right should be modified to “use”.

40A 179847-00

3. Objector did not overcome the prima facie status of claim 40A 179847-00. The affidavit requests the priority date be modified to April 13, 1915 based on the land patent, however the land patent does not cover the point of diversion and place of use. Objector also did not provide sufficient other evidence supporting continuous livestock

use at the point of diversion and place of use. The priority date for claim 40A 179847-00 should remain as it appeared in the Basin 40A Preliminary Decree.

40A 179848-00

4. Objector did not overcome the prima facie status of claim 40A 179848-00. The affidavit requests the priority date be modified to April 13, 1915 based on the land patent, however the land patent does not cover the point of diversion and place of use. Objector also did not provide sufficient other evidence supporting continuous livestock use at the point of diversion and place of use. The priority date for claim 40A 179848-00 should remain as it appeared in the Basin 40A Preliminary Decree.

40A 179873-00

5. Objector provided thin but sufficient evidence to meet their burden of overcoming the initial claim filing by a preponderance of the evidence. The priority date should be modified to May 6, 1916. Because the claim is no longer based on the groundwater filing, the type of right should be modified to “use”.

40A 179878-00

6. Objector provided thin but sufficient evidence to meet their burden of overcoming the initial claim filing by a preponderance of the evidence. The priority date should be modified to February 12, 1916. Because the claim is no longer based on the groundwater filing, the type of right should be modified to “use”.

Source Name Objections

7. Objector did not overcome the prima facie status of the source name for any of the above-captioned claims. The claimed springs were named in accordance with the Claims Examination Manual to enhance the usefulness of the DNRC database. The source names should remain as they appeared in the Basin 40A Preliminary Decree.

RECOMMENDATIONS

1. The Court should dismiss Cremer Rodeo’s objections to claims 40A 179840-00, 40A 179841-00, 40A 179842-00, 40A 179843-00, 40A 179844-00, 40A 179845-00, 40A 179858-00, 40A 179875-00, and 40A 179876-00.

2. Change the priority date of claim 40A 179846-00 to April 13, 1915 and the type of right to “use.”

3. Change the priority date of claim 40A 179873-00 to May 6, 1916 and the type of right to “use.”

4. Change the priority date of claim 40A 179878-00 to February 12, 1916 and the type of right to “use.”

A post decree abstract of each water right claim reflecting the recommended dismissals and changes is attached to this Report.

ELECTRONICALLY SIGNED AND DATED BELOW.

Service via USPS Mail:

George L. Cremer
PO Box 276
Melville, MT 59055

Leo J. Cremer Jr.
241 S. Frontage Road
Big Timber, MT 59011

Service Via Electronic Mail:

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Bozeman, MT 59771
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POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179840-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	29	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSE	29	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179841-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	29	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWNW	29	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179842-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SESENW	29	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SESENW	29	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179843-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSW	33	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSW	33	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179844-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners:

GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNENE	33	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNENE	33	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179845-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWSENW	33	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWSENW	33	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179846-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: APRIL 13, 1915

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	32	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSE	32	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179847-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNESW	32	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNESW	32	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179848-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	32	5N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSW	32	5N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179858-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SENE SW	3	4N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SENE SW	3	4N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179873-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: MAY 6, 1916

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NESWSW	10	4N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NESWSW	10	4N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179875-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWNWNW	4	4N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWNWNW	4	4N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179876-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: JANUARY 25, 1964

Type of Historical Right: FILED

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		NWNWSE	4	4N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			NWNWSE	4	4N	16E	SWEET GRASS

POST DECREE
ABSTRACT OF WATER RIGHT CLAIM
MUSSELSHELL RIVER, ABOVE ROUNDUP
BASIN 40A

Water Right Number: 40A 179878-00 STATEMENT OF CLAIM

Version: 3 -- POST DECREE

Status: ACTIVE

Owners: GEORGE L CREMER
PO BOX 276
MELVILLE, MT 59055 0276

LEO J CREMER JR
241 S. FRONTAGE ROAD
BIG TIMBER, MT 59011 8030

Priority Date: FEBRUARY 12, 1916

Type of Historical Right: USE

Purpose (use): STOCK

Flow Rate: A SPECIFIC FLOW RATE HAS NOT BEEN DECREED BECAUSE THIS USE CONSISTS OF STOCK DRINKING DIRECTLY FROM THE SOURCE, OR FROM A DITCH SYSTEM. THE FLOW RATE IS LIMITED TO THE MINIMUM AMOUNT HISTORICALLY NECESSARY TO SUSTAIN THIS PURPOSE.

Volume: THIS RIGHT INCLUDES THE AMOUNT OF WATER CONSUMPTIVELY USED FOR STOCK WATERING PURPOSES AT THE RATE OF 30 GALLONS PER DAY PER ANIMAL UNIT. ANIMAL UNITS SHALL BE BASED ON REASONABLE CARRYING CAPACITY AND HISTORICAL USE OF THE AREA SERVICED BY THIS WATER SOURCE.

Source Name: SPRING, UNNAMED TRIBUTARY OF ANTELOPE CREEK

Source Type: GROUNDWATER

Point of Diversion and Means of Diversion:

<u>ID</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1		SWSWNW	2	4N	16E	SWEET GRASS

Period of Diversion: JANUARY 1 TO DECEMBER 31

Diversion Means: FLOWING

Period of Use: JANUARY 1 TO DECEMBER 31

Place of Use:

<u>ID</u>	<u>Acres</u>	<u>Govt Lot</u>	<u>Qtr Sec</u>	<u>Sec</u>	<u>Twp</u>	<u>Rge</u>	<u>County</u>
1			SWSWNW	2	4N	16E	SWEET GRASS